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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/550,417	09/20/2005	Ioan-Mircea Corbean	71967	3189
23872	7590	10/31/2007	EXAMINER	
MCGLEW & TUTTLE, PC			ROSS, DANA	
P.O. BOX 9227			ART UNIT	PAPER NUMBER
SCARBOROUGH STATION			3722	
SCARBOROUGH, NY 10510-9227				
MAIL DATE		DELIVERY MODE		
10/31/2007		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

<b>Supplemental Notice of Allowability</b>	Application No.	Applicant(s)
	10/550,417	CORBEAN ET AL.
	Examiner Dana Ross	Art Unit 3722

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1.  This communication is responsive to Amendment filed 9/27/07.
2.  The allowed claim(s) is/are 1,3-9 and 11-22.
3.  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a)  All
  - b)  Some\*
  - c)  None
 of the:
  1.  Certified copies of the priority documents have been received.
  2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3.  Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4.  A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5.  CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
  - (a)  including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
    - 1)  hereto or 2)  to Paper No./Mail Date \_\_\_\_\_.
  - (b)  including changes required by the attached Examiner's Amendment / Comment or in the Office action of
 Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6.  DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

#### Attachment(s)

1.  Notice of References Cited (PTO-892)
2.  Notice of Draftsperson's Patent Drawing Review (PTO-948)
3.  Information Disclosure Statements (PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4.  Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5.  Notice of Informal Patent Application
6.  Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_.
7.  Examiner's Amendment/Comment
8.  Examiner's Statement of Reasons for Allowance
9.  Other \_\_\_\_\_.

### **EXAMINER'S AMENDMENT**

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Brian Duncan (Reg. # 58,505) on 17 October 2007.

The application has been amended as follows:

In the claims:

12. (Amended) A machine tool according to claim 1, wherein said x-y plane is defined by [a horizontal plane extending in] a horizontal x direction and [a vertical plane extending in] a vertical y direction, said top limb extending in said horizontal x direction and said bottom limb extending in said vertical y direction.

14. (Amended) A machine tool, comprising:

a workpiece holding unit defining a working area;

a tool-holder spindle receiving a tool such that said tool extends in a horizontal (z) direction, said tool-holder being mounted for movement such that said tool-holder is movable in an x-y plane, said x-y plane being defined by a [horizontal plane extending in a] horizontal (x) direction and [a vertical plane defined by] a vertical (y) direction;

a tool magazine including an endless chain and a magazine housing, said endless chain having tool-holding elements, said endless chain being circulatorily drivable, said magazine housing being of an angular shape, said magazine housing having a substantially horizontal top

portion and a bottom portion, said top portion extending in said horizontal (x) direction, said bottom portion extending downwards in a vertical (y) direction, said endless chain extending substantially through said top portion and said bottom portion, said top portion of said tool magazine housing having a bottom side surface facing opposite said working area, said top portion of said tool magazine having a closable tool-change opening defined by said bottom side surface, said bottom portion of said magazine housing defining tool-fitting aperture in a bottom area thereof.

***Conclusion***

2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dana Ross whose telephone number is 571-272-4480. The examiner can normally be reached on Mon-Thurs.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Monica Carter can be reached on 571-272-4475. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Dana Ross/  
Primary Examiner  
Art Unit 3722